
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

VINCENT P. BARELA,

Plaintiff,

v.

GABBIE EHRLER,

Defendant.

**ORDER ADOPTING REPORT &
RECOMMENDATION AND
DISMISSING CASE**

Case No. 2:15-CV-00359-RJS-EJF

Judge Robert J. Shelby

Magistrate Judge Evelyn J. Furse

Plaintiff Vincent P. Barela, proceeding *in forma pauperis*, initiated this case by filing a pro se Complaint against Defendant Gabbie Ehrler of Callaway Apartments Leasing on May 21, 2015.¹ Mr. Barela seeks to recover \$9,000 in damages from Ms. Erhler for “extortion/fraud.”²

This case was referred to Magistrate Judge Evelyn J. Furse under 28 U.S.C. § 636(b)(1)(B) on August 11, 2015.³ On June 29, 2016, Judge Furse filed a Report and Recommendation in which she recommended that this court dismiss Mr. Barela’s Complaint without prejudice because he has failed to demonstrate any basis upon which the court could exercise subject matter jurisdiction.⁴ Pursuant to 28 U.S.C. § 636(b) and Rule 72(b)(2), Federal Rules of Civil Procedure, Judge Furse’s Recommendation provided that any Objection to it must be filed within fourteen (14) days of service.⁵ To date, neither party has filed an Objection.

¹ Dkt. 3.

² *Id.*

³ Dkt. 5.

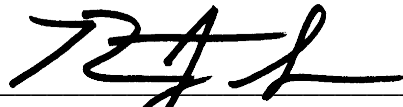
⁴ Dkt. 9.

⁵ *Id.* at 3.

Having reviewed all the relevant materials, including Mr. Barela's Complaint and the reasoning set forth in Judge Furse's Report and Recommendation, the court ADOPTS the Report and Recommendation and hereby DISMISSES Plaintiff's Complaint. The Clerk of Court is directed to close this case.

SO ORDERED this 19th day of July, 2016.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'R. J. Shelby', written over a horizontal line.

ROBERT J. SHELBY
United States District Judge